FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION

ENVIRONMENTAL ASSESSMENT – SHOOTING WHITE-TAILED DEER TO ASSIST THE CITY OF PHILADELPHIA, FAIRMOUNT PARK COMMISSION IN ACHIEVING DEER POPULATION REDUCTIONS ON PARK PROPERTIES LOCATED IN THE PENNSYLVANIA COUNTIES OF DELAWARE, MONTGOMERY AND PHILADELPHIA

The U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) program completed an Environmental Assessment (EA) for reducing white-tailed deer (*Odocoileus virginianus*) densities on park properties administered by the Fairmount Park Commission (FPC) in the Pennsylvania counties of Delaware, Montgomery and Philadelphia in December 2000 (USDA 2000). A Decision and Finding of No Significant Impact (FONSI) was subsequently signed on January 18, 2001. WS evaluated alternatives and impacts to the environment and selected a population reduction approach to reduce the negative impacts that deer are having on the park system and surrounding properties. The purpose of this new Decision/FONSI is to facilitate planning, interagency coordination, and the streamlining of program management; and to clearly communicate with the public the analysis of individual and cumulative impacts of the program since 2001.

The EA evaluated the need for WS activities and the relative effectiveness of two alternatives to meet that need, while accounting for the potential environmental effects of each alternative. The action selected by WS was a population reduction strategy. The strategy uses shooting as a lethal means to reduce and maintain deer densities at levels that have been established by the FPC's Deer Management Program. The EA is tiered to the WS programmatic Environmental Impact Statement (EIS) (USDA 1997). Copies of the EA and 2001 Decision/FONSI are available for review from USDA/APHIS/WS, P.O. Box 60827, Harrisburg, PA 17106-0827. Copies of the EIS are available from the USDA/APHIS/WS Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD 20737-1234.

Wildlife Services is the Federal program authorized by law to reduce damage caused by wildlife (Act of March 2, 1931, as amended (46 Stat. 1486; 7 U.S.C. 426-426c) and the Rural Development, Agriculture, and Related Agencies Appropriations Act of 1988, Public Law 100-102, Dec. 27, 1987. Stat. 1329-1331 (7 U.S.C. 426c), and the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2001, Public Law 106-387, October 28, 2000. Stat. 1549 (Sec 767). Wildlife damage management is the alleviation of damage or other problems caused by or related to the presence of wildlife, and is recognized as an integral part of wildlife management (The Wildlife Society 1992). WS uses an Integrated Wildlife Damage Management (IWDM) approach, commonly known as Integrated Pest Management (WS Directive 2.105) in which a combination of methods may be used or recommended to reduce damage. WS wildlife damage management is not based on punishing offending animals but as one means of reducing damage and is used as part of the WS Decision Model (Slate et al. 1992, USDA 1997, WS Directive 2.201). All WS wildlife damage

management activities are in compliance with relevant laws, regulations, policies, orders and procedures, including the Endangered Species Act of 1973.

Consistency
The analyses in the EA demonstrate that Alternative 2: 1) best addresses the issues identified in the EA, 2) provides safeguards for public health and safety, 3) provides WS the best opportunity to reduce damage while providing low impacts on non-target species, and 4) balances the economic effects to natural resources and property.

Monitoring
The Pennsylvania WS program will annually review its impacts on target deer populations and other species addressed in the EA to ensure that WS program activities do not impact the viability of target and non-target wildlife species populations. In addition, the EA will be reviewed each year to ensure that it and the analysis are sufficient.

Relationship to Other Environmental Documents
Wildlife Services Deer Damage Management Environmental Assessment and Finding of No Significant Impact. In 2003, the Pennsylvania WS program issued a Finding of No Significant Impact and a Final Environmental Assessment entitled, "White-tailed Deer Damage Management in Pennsylvania" (USDA 2003b). This EA analyzed potential environmental impacts of implementing a statewide deer damage management program in Pennsylvania. Wildlife Services determined the action would not have any significant impact on the quality of the human environment. Pertinent information from that document has been incorporated by reference into this Decision document.

Public Involvement
The pre-decisional EA was prepared and released to the public for a 32-day comment period by a legal notice in the *Philadelphia Daily News* on December 6, 2000 and was also mailed directly to agencies, organizations, and individuals with probable interest in the proposed program. One comment document was received by WS within the comment period. The person provided comments on the issue of compensatory reproduction. This issue is discussed in section 4.1.1 of the EA. All letters are maintained in the administrative file located at the Pennsylvania Wildlife Services State Office in Harrisburg, PA.

The EA, the 2001 Decision/FONSI, and this Decision/FONSI are being made available for public review and comment through a legal notice in the *Philadelphia Daily News* and by direct mailing to agencies, organizations, and individuals with probable interest in the proposed program. New issues or alternatives raised after publication of public notices will be fully considered to determine whether the EA and its Decision should be revisited and, if appropriate, revised.

Major Issues
The EA describes the alternatives considered and evaluated using the identified issues. The following issues were identified as important to the scope of the analysis (40 CFR 1508.25).

1. Effects on Target Deer Populations

2. Effects on Non-Target Species Populations, including T&E Species
3. Effects on Human Health and Safety
4. Effects on Aesthetics
5. Effects on Humaneness

In addition to the identified major issues considered in detail, seven other issues were considered but not in detail with rationale and further analysis.

Affected Environment
The Fairmount Park Commission manages 8,900 acres, including 65 parks, in Delaware, Montgomery and Philadelphia Counties of Pennsylvania and maintains a mission to preserve its open spaces, streams, woodlands, landscapes and structures, and to provide recreational opportunities for the citizens and visitors of Philadelphia. The two largest portions of the park, the Wissahickon Valley (1,841 acres) and the Pennypack Park (1,618 acres) are nearly entirely forested. Many of the woodland stands are dominated by large mature trees with forest types including oak/beech, mixed oak, hemlock/hardwood, tulip tree/hardwood and flood plain forests dominated by box elder, sycamore and silver maple (Natural Resource Consultants, Inc. 1996). The parks have an extensive trail system. Trail users include hikers, joggers, bikers, horseback riders, bird watchers, and other outdoor enthusiasts.

Objectives
The objective of the proposed action is to assist the Fairmount Park Commission in reducing the number of deer residing in or frequenting the park properties located in Delaware, Montgomery and Philadelphia counties. The Commission has established an over-winter population density goal of 8-10 deer per square mile. As stipulated in the EA, the deer population within the park would be re-evaluated annually prior to removal activities to determine if the remaining deer are within the population goals and objectives of the Commission. Additional deer may be removed after re-evaluation to bring the population into the desired population densities. Deer would not be removed to a number below the over-winter deer population density goal of 8-10 deer per square mile.

Alternatives Analyzed in Detail
Two potential alternatives were developed to address the issues identified above. Four additional alternatives were considered but not analyzed in detail. A detailed discussion of the anticipated effects of the alternatives on the objectives and issues are contained in the EA. The following summary provides a brief description of each alternative and its anticipated impacts.

Alternative 1. No Action. Under the No Action Alternative, there would be no WS involvement in the Fairmount Park Commission's ongoing deer management program to reduce deer damage within the park system and adjacent properties. However, the Commission would contract with a public or private entity to conduct the work that would no longer be available from WS. If these enties are able to reduce deer densities to meet the Commission's white-tailed deer population goal objectives the results would be similar to those described below in Alternative 2. If these enties did not meet the Commission's population goal objectives it is likely the negative impacts that deer

are having on the park system and surrounding areas would possibly remain the same or continue to increase above current levels.

Alternative 2. Proposed Action/ WS Shoots Deer to Supplement the Division's Program.
The proposed action is for WS to assist the Fairmount Park Commission in reaching their white-tailed deer population goal objective by participating in one aspect of the Commission's Deer Management Program. That is to reduce deer densities on properties administered by the Commission in Delaware, Montgomery and Philadelphia Counties in the state of Pennsylvania. The Commission has determined that deer population reductions are necessary to reduce the negative impacts that white-tailed deer are having on the park system and surrounding properties. Alternative 2 benefits the resource owners/managers, maintains a healthy sustainable ecosystem, and provides benefits to public health and safety, while resulting in very low risk of adverse impact on native wildlife populations or T&E species, and very low risks of adverse impacts to public health or safety. Proposed methods are highly selective for target species and appear to present a balanced approach to the issues of humanness and aesthetics when all facets of these issues are considered.

Environmental Consequences

Wildlife Services has reviewed the EA and has determined that the environmental impacts on the quality of the human environment from activities conducted pursuant to the EA will continue to be insignificant, and that no substantive changes in the analysis are necessary at this time. The following is a brief summary of potential impacts for each of the major issues analyzed in the EA.

Effects on Target Deer Populations: We conclude that WS's cumulative impacts on the local, regional and statewide white-tailed deer populations are insignificant (USDA 2003b). Currently, the Pennsylvania Game Commission (PGC) estimates that there are approximately 1.5 million deer statewide in Pennsylvania (Brett Wallingford, PGC, personal comm.) with 409,320 deer harvested by hunters during the 2004-2005 hunting season (Pennsylvania Game Commission 2005). Table 1 provides information on the number of deer harvested by hunters in Delaware, Montgomery and Philadelphia counties from 1999-2004 (Pennsylvania Game Commission 2005). Deer hunter harvest trend data indicates that deer populations have been stable in the tri-county area over the past 6 years and have been unaffected by deer removal activities on FPC park properties.

Table 1. Deer hunter harvest by county from 1999-2004.

Year/County	Delaware Co.	Montgomery Co.	Philadelphia Co.
1999	1,316	2,780	144
2000	1,396	2,825	442
2001	1,414	3,070	261
2002	1,450	3,187	298
2003	1,740	3,470	130
2004	1,300	3,200	130

The EA concluded that reducing deer densities to the FPC's population goal of 8 to 10 deer per square mile, within the boundaries of the parks, would not negatively impact local, regional and statewide deer populations. The PGC concurred with this determination (*see* Appendix H of the EA).

The EA predicted that WS would initially remove an estimated 300 deer from the parks in Fiscal Year (FY) 2001 (October - September). WS lethally removed 429 deer in FY 2001 and 512 in FY 2002, more than originally predicted, but well within the FPC deer population goals and objectives (USDA 2002). In December 2002 (FY 2003a), the FPC estimated the population of deer within the park to exceed 25 deer per square mile. WS lethal take of 512 deer in FY 2002 did not reduce deer densities to a level that is at or below the FPC deer population goal of 8 to 10 deer per square mile. In FY 2003, WS lethally removed 110 deer which continued to reduce deer densities to the FPC deer population goal of 8 to 10 deer per square mile (USDA 2003a).

An infrared (IR) aerial survey was conducted for the Fairmont Park System on December 31, 2003 and January 1, 2004. A count of 142 deer was observed inside Pennypack Park with 59 on adjacent property. Within Wissahickon Valley, 121 deer were observed with 24 on adjacent property (Natural Resource Consultants, Inc., 2004). Infrared surveys are considered to be minimum counts since to date it has not been possible to consistently determine delectability rates and therefore calculate the percentage of deer observed among those that are actually present. "Based on our current knowledge of deer ecology and behavior, the landscapes within and around the removal areas, deer demographic data from the removals and field observations, it is our professional opinion that it is unlikely that either park has reached its deer population goals" (Natural Resource Consultants, Inc., 2004). Based upon this survey, WS subsequently killed a total of 161 deer in FY 2004 to reduce and maintain deer densities near the FPC deer population goal of 8 to 10 deer per square mile (USDA 2004).

Based upon observations made by FPC personnel in January 2005, WS subsequently killed a total of 126 deer in FY 2005; 42 from the Wissahickon Valley Park and 84 from Pennypack Park. WS and FPC agreed to conclude deer removal efforts after seven nights in 2005. This agreement was based in WS observations of deer numbers in the parks and cost/effective analysis of continuing efforts. Periodic deer removal activities are recommended to maintain deer densities at the appropriate level.

Effects on Non-Target Species Populations, including T&E Species: We conclude that WS's cumulative impact on non-target species is biologically insignificant to nonexistent and that WS has not adversely affected the viability of any wildlife species populations (USDA 2003b). The PGC supports this determination (*see* Appendix D of the EA). WS activities have been 100% selective for target deer species. No non-target species have been killed or adversely affected by WS actions. As a result of reduced deer densities, WS staff has observed an increased amount of thick vegetation throughout Wissahickon Valley Park and Pennypack Park over the past two years (USDA 2004, 2005).

A review of T&E species listed by the U.S. Fish and Wildlife Service (FWS) showed that no

additional listings of T&E species in the affected area have occurred since 2000. WS has determined that the proposed action will have no effect on any T&E species or critical habitat. This no effect determination is based on an evaluation of WS methods in the FWS 1992 Biological Opinion (BO) on the Animal Damage Control Program (USDA 1997).

Effects on Human Health and Safety: We concluded that WS's cumulative impacts on this issue are insignificant (USDA 2003b). WS implementation of the program activities have not resulted in any adverse impacts to human health and safety. Program activities and methods and their potential impacts on human health and safety have not changed from those analyzed in the EA. Adverse impacts of the program on this issue are expected to remain insignificant.

Deer/vehicle collisions in Wissahickon Valley Park and Pennypack Park have remained low. No more than seven collisions per month have occurred in both parks from March 2001 to March 2004 (PGC 2004). Therefore, WS program activities are having a positive impact on human health and safety concerning the reduced amount of deer/vehicle collisions within the FPC park system.

Effects on Aesthetics: We concluded that WS's cumulative impacts on this issue are insignificant (USDA 2003b). The EA concluded the effects on aesthetics would be variable depending on the stakeholders' values towards wildlife and that effects on this issue would be insignificant. Program activities and methods and their potential impacts on aesthetics have not changed from those analyzed in the EA. Adverse impacts of the program on this issue are expected to remain insignificant.

Effects on Humaneness: We concluded that WS's cumulative impacts on this issue are insignificant (USDA 2003b). WS personnel are experienced and professional in their use of management methods, and methods are applied as humanely as possible. The EA concluded that effects on this issue would be insignificant. Program activities and methods and their potential impacts on humaneness have not changed from those analyzed in the EA. Impacts of the program on this issue are expected to remain insignificant.

Alternatives considered but not analyzed in detail were:

WS Provision of Technical Assistance and/or Nonlethal Operational Assistance. This alternative would require that WS implement only nonlethal strategies or methods, or require the FPC to implement them without conducting any lethal removal of deer. This alternative was not considered in detail because the Commission has not requested this type of assistance from WS. The Commission has specifically requested that WS provide supplemental assistance by shooting deer on park properties pursuant to a PGC issued permit, since WS has the expertise, training, and legal authority to assist in conducting such deer damage control activities. The Commission has not requested WS to conduct any other deer damage management activities other than shooting. Furthermore, WS has no authority to require the Commission to implement any specific methods or groups of methods.

Deer Population Reduction Through Reproductive Control. Reproductive control is often considered for use where wildlife populations are overabundant and where traditional hunting or lethal control programs are not publicly acceptable (Muller et. al. 1997). Use and effectiveness of reproductive control as a wildlife population management tool is limited by population dynamic characteristics (longevity, age at onset of reproduction, population size and biological/cultural carrying capacity, etc.), habitat and environmental factors (isolation of target population, cover types, and access to target individuals, etc.), socioeconomic and other factors. Population modeling indicates that reproductive control is more efficient than lethal control only for some rodent and small bird species with high reproductive rates and low survival rates (Dolbeer 1998). Additionally, the need to treat a sufficiently large number of target animals, multiple treatments, and population dynamics of free-ranging populations place considerable logistic and economic constraints on the adoption of reproduction control technologies as a wildlife management tool for some species.

Reproductive control for wildlife could be accomplished either through sterilization (permanent) or contraception (reversible, initial treatment usually followed by a booster and annual follow-up treatments). Sterilization could be accomplished through: 1. Surgical sterilization (vasectomy, castration, and tubal ligation); 2. Chemosterilization; and 3. Gene therapy. Contraception could be accomplished through: 1. Hormone implantation (synthetic steroids such as progestin); 2. Immunocontraception (contraceptive vaccines); and 3. Oral contraception (progestin administered daily). Research into the use of these techniques would consist of laboratory/pen experimentation to determine and develop the sterilization or contraceptive material or procedure, field trials to develop the delivery system, and field experimentation to determine the effectiveness of the technique in achieving population reduction.

Although reproductive control technologies have been researched since at least the 1970's, to date, there is no method, technique, or material available for use on free-ranging white-tailed deer that has proven to reduce the population to desired levels. Furthermore, there are currently no contraceptive products available for commercial use on deer, and there are many barriers to overcome before commercial use will occur (Fagerstone 2002). Research on wildlife sterilization and contraception tools has so far concentrated on development of materials and delivery systems, not on the effectiveness of materials in achieving population reduction in the wild. The use of hormones was investigated (Matschke 1976, 1977 a, b, c, and Roughton 1979), and eventually rejected as an effective and efficient reproductive control technique for deer. Additionally, concerns related to costs and logistics of widespread distribution of drugged baits, dosage control and ingestion of baits by children and nontarget animals make oral contraception (by steroids) largely impractical (Lowery et al. 1993). More recently, Immunocontraception has been studied in various situations and locations, but its potential use appears limited due to considerable constraints regarding treatment and follow-up treatment of a sufficiently large number of target animals, varying immunogenecity of vaccines, genetic backgrounds of individual animals, age, nutritional status, stress and other factors (Becker et al. 1997, Becker et al. 1999, Fagerstone et al. 2002, Miller et al. 2000, Miller and Killian 2001, Killian and Miller 2001, Miller and Killian 2002). Clinical and pen trials (with confined herds) are and will be conducted for the use of porcine zona pellucida (PZP) and gene therapy to control reproduction in white-tailed deer.

Research opportunities for the future involve developing materials and techniques that 1. Enable treatment of a sufficient number of females to affect population reduction; 2. Do not pose threats to human health via food chain contamination; and 3. Satisfy logistical, economic, and sociocultural concerns regarding the handling, marking, and treating of target individual deer and populations.

The use of PZP as a contraceptive agent in wildlife management has been investigated recently (Kirkpatrick et al. 1990, Turner and Kirpatrick 1991, Turner et al. 1992, and Turner et al. 1996, Miller and Killian 2001, Killian and Miller 2001, Miller and Killian 2002), but to date, there is no published documentation that immunocontraceptive vaccines have successfully reduced any free-ranging white-tailed deer herd or population. Underwood and Verret (1998) reported that despite 5 years of PZP treatment, the Fire Island, NY white-tailed deer population continued to grow, albeit at a slower rate. Other components of the reproductive system have been studied for immunocontraception as well, such as gonadotropin-releasing hormone (Becker and Katz 1997, Becker et al. 1999, Killian and Miller 2001, Miller et al. 2000, Miller and Killian 2001). Recently, Canadian researchers at Dalhousie University (Halifax, Nova Scotia) have investigated the use of a single-dose immunocontraceptive vaccine based on liposome delivery of PZP antigens (Spay Vac ™), and reported a 90% reduction in pup production by gray seals (*Halichoerus grypus*) (Brown et al. 1997). Fraker et al. (2002) reported that fertility of an island population of fallow deer (*Dama dama*) was greatly reduced by a single administration of Spay Vac ™ during the first year of treatment; a longer- term assessment is underway. Refinement of the delivery system and field application/experimentation on the ability of Spay Vac ™ to reduce free-ranging cervid populations will occur in subsequent years.

USDA National Wildlife Research Center (NWRC) scientists have developed GonaCon™, a new single dose immunocontraceptive vaccine that shows great promise as a wildlife infertility agent. Recent studies have demonstrated the efficacy of this single-shot GnRH vaccine on California ground squirrels, Norway rats, feral cats and dogs, feral swine, wild horses and white-tailed deer. Infertility among treated female swine and white-tailed deer lasted up to 2 years without requiring a booster vaccination (Miller et al. 2000). This vaccine overcomes one of the major obstacles of previous two dose vaccines, the need to only capture animals once to vaccinate them. A single-injection vaccine is much more practical as a field delivery system for use on free-ranging animals.

Ongoing studies initiated by NWRC in 2004, are examining the practicality of administrating GonaCon™ to free-ranging white-tailed deer as well as the efficacy, toxicity and safety of the vaccine. No fertility control agents have been approved by FDA for non-investigational use on wildlife populations in the U.S. Several materials, however, including GnRH and PZP vaccines, have been classified as investigational drugs that may be used only in rigidly controlled research studies. NWRC studies that are underway at several locations are being conducted as pivotal studies that are required as part of FDAs approval process for a new animal drug.

The single-shot, multiyear vaccine will be a useful technique for the management of enclosed or urban/suburban deer populations. However, GonaCon™ still has limitations, especially the need to capture and inject each animal. Scientists are hopeful that the GnRH vaccine will soon be

approved for wildlife fertility control. If and when this vaccine is proven effective and safe to use for free-ranging white-tailed deer in Pennsylvania, this EA and its analysis would be supplemented pursuant to NEPA at that time.

Turner et al. (1993) noted that although contraception in white-tailed deer may be used to limit population growth, it will not reduce the number of deer in excess of the desired level in many circumstances. They further contend that initial population reductions by various other means may be necessary to achieve management goals, and that reproduction control would be one facet of an integrated program. In sum, although immunocontraceptive technology has been variously effective in laboratories, pens, and in island field applications, it has not been effective in reducing populations of free-ranging white-tailed deer.

The use of this method would be subject to approval by Federal and State Agencies. This alternative was not considered in detail because:

- it would take a number of years of implementation before the deer population would decline and therefore, damage would continue at the present unacceptable levels for a number of years;

- surgical sterilization would have to be conducted by licensed veterinarians, and would therefore be extremely expensive;

- it is difficult, time-consuming, and expensive to effectively live trap, chemically capture, or remotely treat the number of deer necessary to effect an eventual decline in the population; and

- State and Federal regulatory authorities have approved no chemical or biological agent for use as a deer contraceptive.

Because there is no tool currently available, and other constraints, this alternative is not given further consideration.

Trap and Relocate Deer. This alternative would involve live capturing deer using cage-type traps or capture drugs administrated by dart gun followed by relocation of the captured deer to another area. Numerous studies have shown that live-capture and relocation of deer is relatively expensive, time-consuming and inefficient (Ishmael and Rongstad 1984, O'Bryan and McCullough 1985, Diehl 1988, Jones and Witham 1990, Ishmael et al. 1995). Population reduction achieved through capture and relocation is labor intensive, and would be costly ($273-$2,876/deer) (O'Bryan and McCullough 1985, Bryant and Ishmael 1991). Chemical capture methods require specialized training and skill. A primary limitation of darting, the limited range at which deer can be effectively hit, is generally less than 40 yards. With modern scoped rifles, however, a skilled sharpshooter can hit the head or neck of a deer for a quick kill out to 200 yards and beyond (although a shot over 200 yards is not very likely). Thus, chemical capture is far less efficient, more labor intensive, and much more costly than lethal removal with rifles.

Relocation frequently results in high mortality rates for deer (Cromwell et. al. 1999, O'Bryan and McCullough 1985, Jones and Witham 1990, Ishmael et. al. 1995). Deer frequently experience physiological trauma during capture and transportation, (capture myopathy) and deer mortality after relocation, from a wide range of causes within the first year, has ranged from 25-89% (Jones and Witham 1990, Mayer et al. 1993). O'Bryan and McCullough (1985) found that only 15% of radio-collared black-tailed deer that were live-captured and relocated from Angel Island, California, survived for one year after relocation. Although relocated deer usually do not return to their location of capture, some do settle in familiar suburban habitats and create nuisance problems for those communities (Bryant and Ishmael 1991). High mortality rates of relocated deer, combined with the manner in which many of these animals die, make it difficult to justify relocation as a humane alternative to lethal removal methods (Bryant and Ishmael 1991).

The American Veterinary Medical Association, The National Association of State Public Health Veterinarians, and the Council of State and Territorial Epidemiologists oppose relocation of mammals because of the risk of disease transmission (USDA 1997). Translocation of wildlife is discouraged by WS policy (WS Directive 2.501) because of stress to the relocated animal, poor survival rates, potential for disease transfer and difficulties in adapting to new locations or habitats. Also many states no longer permit the interstate transfer of deer due to recent concerns of chronic wasting disease (CWD) outbreaks. If CWD is already present in Pennsylvania, relocating deer within the state could serve to vector the disease.

Deer Removal by Licensed Hunters. This alternative was not analyzed in detail because WS does not have the legal authority to implement or regulate hunting in Pennsylvania. Furthermore, local laws/ordinances prevent hunting within the park as stipulated in the Regulations for the Government of Parks under the control of the Commissioners of Fairmount Park, Philadelphia, 1984 (as amended July 6, 1992) , SECTION 108. HUNTING, TRAPPING AND FISHING "No person shall hunt, trap, chase or capture, in any manner, any wildlife of any kind". And also the City of Philadelphia Ordinance 10-815 states "no person shall go upon land controlled by the City.....for the purpose of hunting wildlife."

Finding of No Significant Impact

The analysis in the EA and this Decision document indicates that there will not be a significant adverse impact, individually or cumulatively, on the quality of the human environment as a result of implementing the proposed action. I agree with this conclusion and therefore find that an EIS need not be prepared. This determination is based on the following factors:

1. Deer damage management as conducted by WS in Pennsylvania is not regional or national in scope.

2. The proposed action would pose minimal risk to public health and safety. Risks to the public from WS methods were determined to be low in a formal risk assessment (USDA 1997, Appendix P). The proposed action is expected to result in an indirect beneficial

impact on public health and safety by reducing the potential risk of disease transmission and deer-vehicle collisions.

3. There are no unique characteristics such as park lands, prime farm lands, wetlands, wild and scenic areas, or ecologically critical areas that would be significantly affected. Built-in mitigation measures that are part of WS's standard operating procedures and adherence to laws and regulations will further ensure that WS activities do not harm the environment.

4. The effects on the quality of the human environment are not highly controversial. Although there is some opposition to wildlife damage management, this action is not highly controversial in terms of size, nature, or effect.

5. Based on the analysis documented in the EA and the accompanying administrative file, the effects of the proposed damage management program on the human environment would not be significant. The effects of the proposed activities are not highly uncertain and do not involve unique or unknown risks.

6. The proposed action would not establish a precedent for any future action with significant effects.

7. No significant cumulative effects were identified through this assessment. The EA and this Decision document discussed cumulative effects of WS on target and non-target species populations and concluded that such impacts were not significant for this or other anticipated actions to be implemented or planned within the State. The PGC concurs with this determination (*see* Appendix D and H of the EA).

8. The proposed activities would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor would they likely cause any loss or destruction of significant scientific, cultural, or historical resources. The Fairmont Park Commission's Historic Preservation Officer certified, per the National Historic Preservation Act of 1966, that the proposed action will not result in a change in character or use of the historic and cultural resources of the park (*see* Appendix G of the EA).

9. WS has determined that the proposed project would not adversely affect any Federal or Pennsylvania State listed threatened or endangered species. This determination is based upon concurrence from the PGC that the project will not likely adversely affect any state listed threatened or endangered species and a no effect determination by WS on impacts to Federal listed species.

10. The proposed action would be in compliance with all federal, state, and local laws.

Decision

I have carefully reviewed the EA, input resulting from the 2000 public involvement process, and this Decision/FONSI. I believe the issues and objectives identified in the EA would be best addressed through implementation of Alternative 2 (the Proposed Action). Alternative 2 is therefore selected because it offers the greatest flexibility in achieving effectiveness while minimizing cumulative adverse impacts on the quality of the human environment with respect to the issues raised for consideration in this process. The WS program will implement the proposed action in compliance with all applicable mitigation measures listed as components of standard operating procedures in Chapter 3 of the EA. This Decision/FONSI will take effect 30 days after publication of a Legal Notice making the EA, the 2001 Decision/FONSI, and this Decision/FONSI available to the public for review and comment. New issues or alternatives raised after publication of public notices will be fully considered to determine whether the EA and its Decision should be revisited and, if appropriate, revised, or if a Notice of Intent to prepare an EIS should be issued.

For additional information regarding this decision, please contact USDA/APHIS/WS, P.O. Box 60827, Harrisburg, PA 17106-0827.

11/4/05

Charles S. Brown
APHIS-WS
Eastern Region Director

Date

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